

Report for: Cabinet

Item number: 17

Title: Housing Supply Plan and Temporary Accommodation Placements Policy

Report authorised by: Lyn Garner, Director of Regeneration, Planning and Development

Lead Officers: Mustafa Ibrahim, Head of Housing Commissioning, Investment and Sites

Ward(s) affected: All

Report for Key/ Non Key Decision: Key Decision

1. DESCRIBE THE ISSUE UNDER CONSIDERATION

- 1.1. The purpose of this report is to adopt the Housing Supply Plan for the borough, which includes the final Temporary Accommodation Placements Policy, following public consultation on that policy.
- 1.2. The Housing Supply Plan is an overarching plan that supports Haringey's new Housing Strategy. It sets out the current and projected housing need, demand and supply in the borough and describes how the council will meet need and demand and maximise the supply of homes needed to achieve this. This includes the impact of estate renewal proposals on the supply and allocation of general needs housing and the supply and use of temporary accommodation, which is a critical factor in responding to demand, in particular homeless households who approach the council in acute housing need.

2. CABINET MEMBER INTRODUCTION

- 2.1 The Housing Supply Plan sets out in one place the demand for housing in Haringey, the range of measures in place to address need and the projected numbers and overall critical supply position that this shows. In particular this demonstrates starkly the shortfall of affordable homes in the borough for use as temporary accommodation.
- 2.2 We remain strongly committed to assisting people who approach the council in crisis in acute housing need. This will often mean providing either short term or more settled temporary accommodation, or both, and this is becoming increasingly difficult to do within the borough boundaries. The supply of private rented accommodation in the borough or nearby is inadequate to meet need and in any case the market is leaving many households behind as rents continue to rise beyond what lower income households, including those affected by the benefits cap, can reasonably afford. Government changes to the benefit system have had a particularly damaging effect.

- 2.3 We also try very hard to find homes in Haringey or nearby when it is possible to do so. We have steadfastly maintained this position, despite the pressures that have prompted a number of other London councils to place families in homes outside of London for some time. We have resisted implementing this for as long as we possibly can. Reluctantly however, we now have to accept that the pressures have reached a point where we can no longer avoid joining the other councils who have taken this step.
- 2.4 In order to best protect and support those residents most in need, we will aim to find homes for the most vulnerable households in the borough. This means that some households that are not prioritised to remain will be offered accommodation outside of Haringey, and where necessary outside of London, but this will be a last resort. It is therefore important that when we do have to place households outside of Haringey, we do so consistently, fairly and transparently using criteria designed to safeguard the most vulnerable and those with the highest need to stay within Haringey. It is also important that we provide the necessary support to enable households to relocate as easily as possible in these circumstances.
- 2.5 The policy and this report set out the sensitive approach we will take to this. It has been arrived at following constructive consultation with people affected or potentially affected by the policy. A good number of residents took the opportunity to provide feedback on the policy and in particular the support arrangements that will be necessary to mitigate its impact. This valuable input has been taken into account in bringing the policy forward for approval.

3. RECOMMENDATIONS

It is recommended that Cabinet:

- 3.1 Approves the Housing Supply Plan set out in appendix 1, notes that the Plan requires regular updating and delegates authority to the Director of Regeneration, Planning & Development to maintain a current and comprehensive plan in line with prevailing conditions and requirements.
- 3.2 Notes the consultation feedback and the revised Equalities Impact Assessment for the Temporary Accommodation Placements Policy, attached as appendix 2 and appendix 3 respectively.
- 3.3 Approves the Temporary Accommodation Placements Policy, attached as appendix 4.
- 3.4 Approves the support package for households placed outside London set out in paragraph 6.25, which has been finalised following consultation, and notes the budget implications set out in paragraphs 6.28-6.29.

4. REASONS FOR DECISION

- 4.1 A decision is necessary for the council to establish and maintain a current and comprehensive plan for all forms of housing supply in the borough, in order that housing need can be identified and supply initiatives formulated for all forms of permanent and temporary accommodation required to meet that housing need (recommendation 3.1).
- 4.2 It is necessary for the council to take into account the results of consultation and the revised Equalities Impact Assessment in considering approval of the Temporary Accommodation Placements Policy (recommendation 3.2).
- 4.3 Having consulted on the Temporary Accommodation Placements Policy and considered the revised Equalities Impact Assessment, a decision on approval of the policy is required in order that it can be adopted and implemented (recommendation 3.3) and that officers are able to demonstrate a clear rationale, agreed eligibility criteria for suitable placements and due consideration of the support required.
- 4.4 Households that may be placed out of London will require assistance and support and a decision is necessary to put appropriate arrangements in place and ensure budgetary provision (recommendation 3.4).

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 All feasible options to improve supply and meet demand have been considered in the preparation of the Housing Supply Plan.
- 5.2 The procurement and allocation of temporary accommodation has become increasingly difficult within the Haringey and London market. Alternative options to meet demand are not available to the council within current budget provisions and the allocation of any additional funding would detrimentally affect the provision of other council services.
- 5.3 The council could choose not to adopt a placement policy for temporary accommodation. However, officers must be able to demonstrate a clear rationale, eligibility criteria for suitable placements and consideration of support packages in order to comply with current case law and be clear and transparent about its placement activity.

6. BACKGROUND INFORMATION

Strategic Context

- 6.1 The supply of affordable housing in Haringey is diminishing as a result of a housing market which has made private renting or home ownership unaffordable for the majority of people in housing need, while new home building is not meeting national or local targets. The demand for affordable housing, whether for use as permanent homes or temporary accommodation (TA), is an increasingly serious problem for the council and even the most ambitious plans for future housing supply will not provide enough homes to meet that demand.

- 6.2 Measures to manage demand in Haringey have been very successful; homelessness preventions have increased significantly, greater emphasis is being placed on conciliation and crisis intervention and on assisting people into alternative accommodation. Incentives are available to landlords to provide private rented accommodation and a new pathway has been implemented to improve provision of supported housing as an alternative to TA.
- 6.3 Despite this commitment to prevention, early intervention and measures to minimise the need for TA, the number of households in TA has been increasing. Residents to whom the council has a statutory duty to accommodate are having to wait longer to be rehoused while the supply of TA for them is diminishing and becoming more expensive. As well as requiring council subsidy, more expensive private rented accommodation is simply unaffordable and increasingly is not providing a settled and sustainable solution for homeless households, as eviction from private rented accommodation is now the single biggest cause of homelessness.
- 6.4 The situation is being exacerbated by legislative and policy changes affecting housing, planning and welfare benefits. Welfare benefits changes in particular have had an adverse impact for many families and the biggest single reason for homelessness acceptances now is eviction from private rented accommodation. The changes made or planned include the benefit cap, a freeze on Local Housing Allowance (LHA, which determines maximum housing benefit levels), restrictions on LHA rates for under 35s, the introduction of the spare room subsidy ("bedroom tax") and the introduction of Universal Credit, under which housing benefit will be paid to tenants rather than direct to landlords. The cumulative impact of these changes is a reduction of private sector accommodation available for prospective tenants, more evictions from the private sector and a consequent increase in demand for social housing. This is very serious for those requiring TA, as the council relies on private rented homes for the bulk of its TA supply.
- 6.5 Other provisions in the Housing and Planning Act 2016 will bring pressures to the supply of both new affordable housing, through the new Starter Homes initiative, and existing social rented housing through the introduction of Right to Buy for Housing Association tenants, forced sales of council homes and Pay to Stay. The Pay to Stay provisions may result in tenants exercising their Right to Buy rather than pay higher rents, resulting in a further reduction of council housing stock.
- 6.6 Further changes are expected to the subsidy regime related to the costs of TA, although these details are not yet published and will not come into force until 2017.
- 6.7 In addition, the council's own ambitions for estate renewal (while eventually increasing the overall housing stock in the borough) will in the short term bring some pressures on council housing stock as re-housing requirements are met.
- 6.8 In general, the cumulative impact of these changes, coupled with local housing market conditions, will be to exacerbate the lack of affordable housing in Haringey and impair the ability of the council and its partners to meet the

demand for it. In these circumstances the council has little option but to seek to widen the available pool of affordable supply, which includes securing affordable TA outside the borough as part of a coherent long term plan.

The Housing Supply Plan

- 6.9 The proposed Housing Supply Plan is a key supporting document underpinning Haringey's new Housing Strategy, which sets out that new homes are a key element of the council's growth ambitions. The Plan, attached as appendix 1, provides an assessment of current and projected housing supply in order to show how demand can be met for permanent and temporary accommodation. It is informed by detailed projections of need, demand and supply based on service intelligence, the latest available market data, including the Strategic Housing Market Assessment 2014, and input from residents and key stakeholders, in particular those in need of housing and those who play a role in supplying housing.
- 6.10 The Plan covers the full range of rented supply in the borough, in summary as follows:
- (a) Making the best use of the available social housing stock, council and registered provider (RP), including effective voids control, under-occupation transfers and the take-up of housing association nominations.
 - (b) Increasing the supply of permanent and/or settled homes for those in need of rehousing, from all sources, including estate renewal/regeneration schemes, council new build, acquisitions, housing association new build/acquisitions, bringing empty homes back into use and initiatives to access the private rented sector.
 - (c) Increasing the supply of homes for use as temporary accommodation, whether as emergency or longer term settled homes, and identifying how/where these will be procured and used.
- 6.11 At this stage, the plan does not include:
- (a) Demand and supply for low cost home ownership
 - (b) Requirements for all forms of supported housing, including sheltered housing for older people.
- These are subject to separate policies and reviews and will be added to the plan when these conclude.
- 6.12 The Supply Plan also deals with housing demand, setting out the main client groups and the measures being taken to manage and where possible reduce demand. The Plan has strong links to the Housing Allocations Scheme and the annual Lettings Plan and incorporates the TA Procurement Plan, which is for all of the main types of emergency and longer term temporary accommodation including "annexes" (self-contained accommodation paid for on a nightly basis) and 'last resort' options such as the use of bed and breakfast hotels.

- 6.13 Current supply and demand projections within the Plan illustrate the significant issues with current and future requirements for permanent affordable rented homes and for TA. Although the Council and its partners will be providing around an additional 1,800 affordable homes and financial incentives for 1,200 private tenancies, the Plan shows that on current projections, there will be a shortfall of permanent rented homes of around 9,700 by the end of 2025/26 taking into account all registered demand.
- 6.14 The shortfall in permanent housing comprises around 3,200 homeless households at the end of 2016/17 increasing to just over 4,400 homeless households in 2025/26. In the absence of additional affordable supply – either in the social or private sector – these households will require temporary accommodation while they await rehousing. The Council is seeking to increase its supply of temporary accommodation, both in its own stock and through additional offers to encourage private landlords to lease their properties to the Council. However, there remains both a shortfall of units in the borough and in neighbouring boroughs, leading to 1,573 households being placed in expensive nightly rated accommodation at the end of 2015/16.
- 6.15 Nightly rated accommodation is in any case becoming more difficult to obtain in the borough and the Council will need to acquire more accommodation in neighbouring boroughs or out of London. The projections in the Plan show that the Council will need to source affordable housing through the private market wherever it is affordable.
- 6.16 These projections are based on current plans and assumptions and the numbers can only ever be a snapshot at a particular time. The rationale for the projections, and any assumptions made, are detailed in background papers available to support appendix 1. Although endorsement of the direction and specific actions set out in the Plan is sought, the projections will change and new or varied responses may be required to continue to improve supply and meet demand. The Plan and detailed projections will therefore be maintained by officers and a delegation is sought for this purpose.

Temporary Accommodation Placements Policy

- 6.17 As a result of the general supply challenges and in particular the TA shortfall, the council has had to recognise that new approaches are needed. The current approach is to seek to procure accommodation within the borough or close by but we are now in a position where there is insufficient supply and we can only meet our statutory obligation by sourcing suitable TA out of the borough. One of the key tests of suitability is affordability, and affordable rented properties are not available in sufficient numbers within the borough. Inevitably, we will have to increasingly look throughout London and outside of London to source suitable properties that meet the affordability requirement for homeless households. For this reason, a new proposed TA Placements Policy has been prepared and consultation on it was authorised by a Lead Member Signing on 4 July 2016.
- 6.18 Placements outside of the Borough are currently small in number and generally with the agreement of the applicant. The new Policy is designed to establish a structured and transparent approach to placing homeless families and

determining who should be prioritised for in-borough accommodation and to allocating out-of-borough placements in accordance with robust and fair criteria. The Policy will ensure that placements within the borough are prioritised for those who need them most, as some homeless families will be particularly vulnerable and/or have strong links to Haringey or neighbouring boroughs. The proposed policy takes this into account by including a support package for any households placed outside London to help mitigate this impact. The criteria for placements, and the detail of the support package, were key elements of the consultation.

- 6.19 Consultation began on 13th July and ended on 7th September. A consultation questionnaire and pamphlet/flyer was produced, setting out a summary of the policy, the criteria for prioritising placements inside/outside Haringey and the proposed mitigation measures, with a link to the full policy on line. Consultation documents including an equalities feedback form were sent to targeted TA residents that may be affected, with a covering letter setting out the reasons for the council's proposal to adopt the policy. In addition, four drop in events to consult TA residents face to face took place, discussions with partners including the Homlessness Core Group were held and interviews were held with applicants at Apex House as part of planned housing options sessions. The consultation documents were made available in full on the Council's website.
- 6.20 A total of 369 TA residents responded to the consultation by completing either a paper questionnaire (192) or online (177). The profile of the respondents was a reasonable representative sample of the TA population; this is described further in appendix 2. The majority of respondents agreed with the proposed six criteria to prioritise accommodation in Haringey for those in greatest need as well as the two criteria for prioritising accommodation close to Haringey/within an hour's travel for those who worked more than 16 hours a week or had children doing GCSEs or post-16 vocational exams in that academic year in Haringey. Respondents did make suggestions for additional criteria, which are set out in appendix 2, along with the council's response to this feedback.
- 6.21 The criteria for prioritising the placing of households in Haringey have been amended to take on board the suggestion that households in receipt of specialist support should be prioritised, as well as those providing support to other family members. This has been added as a new clause in paragraph 4.2 of the policy (appendix 4).
- 6.22 The criteria for prioritising the placing of households in neighbouring boroughs, or not more than one hour away from their place of work or school, have been amended in response to feedback that some priority should be awarded to people in higher education, apprenticeships, vocational or professional training or the self-employed. This has been added as a new clause in paragraph 4.3 of the policy (appendix 4).
- 6.23 The policy will apply to both new applicants and also those already accommodated by the council when they need to move. Although respondents were asked their view on whether the policy should apply to the latter (appendix 2, section 2, Q.4a), no changes have been made as a result of those responses.

- 6.24 For the support package, respondents prioritised finding a job and getting their children into school as top priorities for support they may need if moved out of London. Respondents also made suggestions for other support needs that could be considered which is also set out in appendix 2, along with the council's response to this feedback.
- 6.25 Of these suggestions, the council considers that some financial support to help meet the immediate expense of relocation is appropriate, without the previous prescription that this would be for travel expenses. Such payments will need to be capped. Also, the importance of ensuring continuity of benefits payments has been recognised in the revised support package. The following changes have been made to the support package:

<i>Draft Support Package</i>	<i>Revised Support Package</i>
Finding employment	Retain – second highest priority for residents
Identifying and arranging schools	Retain – highest priority for residents
Child care	Retain - we will provide assistance with identifying local child care
Health e.g. signing up with a local GP	Retain - we will provide assistance with identifying local GPs and health facilities
Council links e.g. Council Tax, electoral register	Retain and broaden to include assistance with ensuring continuity of welfare benefits
Utility connections (i.e. electricity/gas/phone/internet)	Retain
Removals and storage of personal effects	Retain - we will provide assistance with identifying appropriate storage but this is not funded by the council. Removal cost to be included in initial support package.
Obtaining new furniture and white goods	This will be considered as an immediate expense of relocation on a discretionary basis only
Financial support to travel back to Haringey to see family and friends	Replace with capped financial support to help meet the immediate expense of relocation
Identifying links to local support e.g. contact with community, voluntary, faith and other groups	Retain

- 6.26 At the time of the consultation, it was envisaged that support for relocating households should be available for six months from the time of the move. 50% of respondents considered this was a reasonable period of time, whereas 23% did not. However, the approach to providing support has developed, in part as a result of consultation, and support will need to be highly tailored to meet a

particular household's needs. Also, it is clear that many of the support elements need to be addressed some weeks and months before the actual move takes place – for example utility connections, or assistance with welfare benefits or school places. This type of support must be provided successfully well within the six months previously envisaged and ideally be in place from the first day of the move or very soon after.

- 6.27 For this reason, it is envisaged that support will be initiated immediately a potential move is identified, likely to be 3-4 months before the actual move. This will provide an easier transition for relocating households and more effectively mitigate the potentially adverse impact of moving than the previous approach. This more flexible and tailored approach will allow for discretion in individual cases rather than working to a defined time period; however, it is expected that overall the duration of support may well be six months, but beginning some time before the actual move. The support provided and the duration of its provision will differ according to household needs but the feedback from consultation with residents has confirmed that the priorities for support are as outlined above.
- 6.28 The potential costs of implementing the policy fall into three areas as follows:
- (a) Pre-move preparation, which will require additional staff resources within the service. This is likely to require two posts, costing £80,000 p.a.
 - (b) Move costs, involving an initial support package of up to £1,000 per household to include moving costs, travel and other immediate expenses.
 - (c) The provision of ongoing support post-move, likely to be provided by a local agent on our behalf as required. It is not possible to quantify this at this stage as this will depend on the number of households placed in a particular area, but could be about £700 per household.

Pre-move costs will be funded from the ring fenced Housing Related Support budget while the other costs of implementing the new policy will be met from the Homelessness Budget. This is also a ring fenced demand-led budget and currently under significant pressure, but securing more affordable accommodation out of borough is part of the action plan already in place to reduce spend in this area.

- 6.29 Based on Supply Plan projections (appendix 1), 50 moves will mean move and post-move costs of up to £85,000 in 2016/17. It should be noted that these costs will offset the savings that will be made by reducing the use of expensive nightly rated properties, which currently make up about half of the temporary accommodation in use. These properties are in effect subsidised by the Council by around £2,600 per annum over and above rental income and this deficit is funded from the Homelessness Budget. Depending on locations, it is expected that savings of about £3,000 for an average 2-bed property will be realised (more for larger properties), achieving £600,000 in savings if 200 moves are made in 2017/18 (as projected in the Supply Plan). Budget provision for 2017/18 and beyond will be determined in the light of operational experience gained from the first few months of implementation.
- 6.30 It is envisaged that when adopted the TA Placements Policy will provide a long term framework, however, it will need to be updated periodically. Placements

under the policy will be monitored and reviewed on an annual basis, including equalities monitoring to assess the impact on protected groups, particularly where households have been placed in neighbouring boroughs or outside London. Costs will be closely monitored to ensure affordability, both for affected residents and the council. The policy, together with an annual monitoring report, will be made publicly available and published on the Council's website.

7. CONTRIBUTION TO STRATEGIC OUTCOMES

- 7.1 Haringey's Housing Strategy 2017-2022 seeks to deliver the housing priorities defined in Haringey's Corporate Plan, with four strategic objectives as follows:

Objective 1 – Achieve a step change in the number of new homes built
Objective 2 – Improve support and help to prevent homelessness
Objective 3 – Drive up the quality of housing for all residents
Objective 4 – Ensure that housing delivers wider community benefits

- 7.2 The strategy provides a broad strategic direction for housing in the borough, but delivery of its objectives will be achieved through a range of housing related sub-strategies and policies. The Supply Plan and Temporary Accommodation Placements Policy discussed in this report are two of these sub-strategies/policies and provide the detail to support achievement of strategic outcomes.
- 7.3 The Supply Plan and Temporary Accommodation Placements Policy contribute to achievement of the housing strategy by addressing the management of housing demand and bringing together the supply measures being taken. This includes housing advice and homelessness prevention, the supply of new permanent and temporary accommodation, and the use of private sector homes as a key source of supply. The Housing Strategy demonstrate the challenges facing the Council and this report focuses in particular on the need to source additional temporary accommodation in the borough, within London and beyond.

8. STATUTORY OFFICERS COMMENTS (CHIEF FINANCE OFFICER (INCLUDING PROCUREMENT), ASSISTANT DIRECTOR OF CORPORATE GOVERNANCE, EQUALITIES)

Finance and Procurement

- 8.1 There was a forecast budget overspend of around £7.5m as at the end of period 4 for 2016/17 in respect of the temporary accommodation budget. The budgetary pressure arises from a number of factors, an increase in demand resulting in an increase in the number of households placed in temporary accommodation but also a reduction in the supply of/inability to resource less expensive accommodation. At the same time unit costs are also increasing even for the less expensive options.
- 8.2 Based on current demand trends and projected increases in costs, without any interventions to manage demand or source alternative cheaper supply units, this overspend could rise to around £15m at the end of the 5-year MTFP.
- 8.3 The supply measures included within the Housing Supply plan will have a positive impact on the TA budget overspend to a greater or lesser extent. Each additional unit of alternative supply will mean a reduction in the use of the most expensive type of emergency accommodation but the actual net saving will be dependent on the alternative supply in question and will change in each new financial year.
- 8.4 The supply measures included within the plan (appendix 1) have already received separate Cabinet approval although some schemes are still subject to final business cases being signed off.
- 8.5 However, the out-of-borough initiative included within this report is a new proposal and this particular supply measure will produce a net saving to the Council of £2,441 per annum from using the most expensive form of emergency accommodation. This report also indicates that there will additional one-off support costs associated with this measure totalling £1,700. Therefore, the net saving is only £741 p.a and this has been modelled into the supply plan MTFS projects below. However, the introduction of two new posts adds an additional annual cost of £80,000 which means that 108 out-of-borough placements annually are needed to break even although the position could change for any future year's subsidy/cost changes.
- 8.6 The has previously been a target set to achieve 400 ASTs (Assured Shorthold Tenancies) in 2016/17. The current budget will fund 160 incentive payments and therefore any increase in numbers will have a detrimental affect on the budget in the year of acquisition. The actual net cost will depend on a number of factors including timing and bedroom size. The revised target for 2016/17 is now 250 ASTs which will add an additional cost of £281k for the additional 90 ASTs against a forecast full-year saving of £261k meaning that over the 24 month tenancy there is a saving of £241k (£522k - £281k).

- 8.7 The table below shows the current forecast Supply Plan profile which has been modelled into the latest Corporate MTFP projections:

Description	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
GF: Emergency Hostels Funded	58	78	78	78	78	78
GF: Emergency Hostels Unfunded	0	0	60	60	110	110
GF: Privately Owned Emergency Hostels	42	0	0	0	0	0
GF: Bed & Breakfast	0	0	0	0	0	0
HRA: Empty Estate Renewal Properties	70	40	30	20	47	140
HRA: Own Stock including Self-contained units	212	212	212	212	212	212
HRA: Modular Build & Demountables	0	44	64	84	104	125
GF: Acquisition Programme	0	20	44	71	100	100
GF: Housing Association Leasing	252	227	202	177	152	127
GF: Private Sector Leasing	1,030	1,030	1,030	1,030	1,030	1,030
GF: Annexes	1,427	1,129	760	498	147	0
Out of London Supply	50	200	300	400	400	400
Sub Total	3141	2,980	2780	2630	2380	2322
AST's Move on	100	120	120	120	120	120
Overall Total	3,241	3,100	2,900	2,750	2,500	2,442
AST's Prevention	150	180	180	180	180	180

- 8.8 If the above Supply Plan is delivered then the overall gross saving is forecast to be in the region of £3.2 million. However, the current MTFP pressure for 2021/22 is still forecast as £6.1m and the net saving of only £1.4m (£7.5m - £6.1m) from the current position is due to the BMRA (Broad Rental Market Areas) subsidy being frozen until 2020 but PSL costs expected to increase by 15% upon lease renewal and Annexes expected to increase by 2% annually.

Legal

- 8.9 The Assistant Director of Corporate Governance has been consulted in the preparation of this report and comments as follows.
- 8.10 Part VII of the Housing Act 1996 ("the Act") imposes duties on the Council as a local housing authority to secure suitable temporary accommodation for the homeless while investigations are made into their entitlements and, subsequently if certain conditions are met.
- 8.11 The Homelessness (Suitability of Accommodation) (England) Order 2012 ("the 2012 Order") and the accompanying Supplementary Guidance issued by the Secretary of State, confirms that the location of the accommodation – including,

where the accommodation is out of the borough, its distance from the borough - is relevant to suitability of the accommodation secured. The 2012 Order also identifies a series of other matters related to location to which the authority must have regard in considering suitability of accommodation.

8.12 By s208 of the Act the Council must, so far as practicable, secure temporary accommodation within its district.

8.13 The Supreme Court decision in the case of *Nzolameso v Westminster City Council* ("Nzolameso") reiterates the need for local authorities to have proper regard to its statutory duties under ss206 and 208 of the Act. It emphasises that where "in-borough" accommodation cannot be secured, a local housing authority must secure accommodation as close to the borough as reasonably practicable (which may include considerations of cost to the authority), and be prepared to explain in any individual case why the specific accommodation that was offered was considered suitable having regard to the statutory duties. To this end the Supreme Court gives guidance to local authorities. It acknowledges that authorities will predict likely demand and recommends that:

"...Ideally, each local authority should have, and keep up to date, a policy for procuring sufficient units of temporary accommodation to meet the anticipated demand during the coming year. That policy should, of course, reflect the authority's statutory obligations under both the 1996 Act and the Children Act 2004..."

and:

"...Secondly, each local authority should have, and keep up to date, a policy for allocating those units to individual homeless households. Where there was an anticipated shortfall of "in borough" units, that policy would explain the factors which would be taken into account in offering households those units, the factors which would be taken into account in offering units close to home, and if there was a shortage of such units, the factors which would make it suitable to accommodate a household further away..."

both policies of course to be democratically approved and publicly available.

The policies at Appendices 1 and 4 respectively are intended to meet these recommendations and to provide the basis for decision-making both as to procurement generally and as to individual cases.

Equality

8.14 In formulating these policies the Council has had regard to its public sector equality duty under the Equality Act 2010, which requires it to have due regard to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between people who share a 'protected characteristic' and people who do not;
- foster good relations between people who share a relevant 'protected characteristic' and people who do not.

The 'protected characteristics' are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation. They also cover marriage and civil partnership with regards to eliminating discrimination.

- 8.15 The report seeks Cabinet approval for a new Supply Plan and TA Placements Policy. These proposals relate to the Council's approach to meet the housing needs of some of the borough's most vulnerable residents, including those that share the protected characteristics. An EqlA has therefore been completed for the TA Placements Policy and is attached as appendix 3 to this report. Cabinet is asked to pay specific regard to its public sector equality duty (including the EqlA) in considering whether or not to approve the Policy. This includes considering the mitigating measures proposed and the changes made to the Policy as a result of the consultation.
- 8.16 The EqlA assesses which protected groups would be affected by giving greater priority to decants as compared to homeless households (or vice versa) and the impact on the households who would either spend longer waiting for a decant (e.g. prior to demolition of their home) or spend longer in temporary accommodation. Support arrangements will be in place for residents affected by estate renewal schemes and to support vulnerable households in temporary accommodation, but these will need to be strengthened to mitigate delays in the re-housing for some households in the protected groups.
- 8.17 The EqlA has been amended to reflect changes made to the TA Placements Policy as a result of consultation. Concern was expressed for those residents receiving support and the policy has been amended to address this concern, with a new criteria added to 4.2 of the policy to protect continuity of support. There were also concerns raised over supporting adults who are in employment, training or education and to address this, a new criterion for placements in neighbouring boroughs has been added to 4.3 of the policy. With regard to support needs, additional support has been added to provide assistance to ensure the continuity of benefit payments and a capped financial payment to assist households with the immediate costs of re-locating.

9. USE OF APPENDICES

- Appendix 1 – Housing Supply Plan 2016-2026
- Appendix 2 – Summary of consultation feedback on the Temporary Accommodation Placements Policy
- Appendix 3 – Equalities Impact Assessment for the Temporary Accommodation Placements Policy
- Appendix 4 – Temporary Accommodation Placements Policy

10. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background papers:

Draft Temporary Accommodation Placements Policy, Lead Member Signing 4th July 2016.

Detailed Supply and Demand Projections 2016-2026.